

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

MONICA CORTEZ, ROCIO REYES,

Plaintiffs,

vs.

PHARMA CHEMIE, INC., a Nebraska
Corporation;

Defendant.

8:11CV228

MEMORANDUM AND ORDER

Plaintiff Monica Cortez' former counsel was granted leave to withdraw on July 16, 2012. (Filing No. 45). The order granting counsel's leave to withdraw stated:

On or before August 6, 2012, the plaintiff Monica Cortez shall either: (a) obtain the services of substitute counsel and have that attorney file an appearance on her behalf; or (b) file a statement notifying the court of her intent to litigate this case without counsel. YeFailure to comply with this order may result in dismissal of Monica Cortez' claims for want of prosecution.

Filing No. 45. The order was mailed to Monica Cortez at her address of record. The mailing was returned. See filing no. 55.

On August 6, 2012, the court was advised that Cortez never received a copy of the memorandum and order. It was mailed to Cortez again, along with a copy of the docket sheet. The court entered an order stating, "[Cortez] is instructed to contact the court as soon as possible regarding memorandum and order [45](#). If Cortez fails to contact the Court by 8/17/12, her claims will be dismissed." Text Order 56. The August 6, 2012 mailing was not returned. To date, Cortez has not complied with the requirements of the court's July 16, 2012 memorandum and order.

Accordingly,

IT IS RECOMMENDED to the Honorable John M. Gerrard, United States District Judge, pursuant to 28 U.S.C. § 636(b), that Plaintiff Monica Cortez' claims be dismissed for want of prosecution without further notice.

The parties are notified that failing to file an objection to this recommendation as provided in the local rules of this court may be held to be a waiver of any right to appeal the court's adoption of the recommendation.

IT IS FURTHER ORDERED: The clerk shall mail a copy of this recommendation to Plaintiff Monica Cortez at her address of record.

September 7, 2012.

BY THE COURT:

s/ Cheryl R. Zwart
United States Magistrate Judge